

RESOLUTION NO. 2011-98

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING THE
BUDGET YEAR 2011/12 CONCESSION PROPOSAL FROM THE
LODI POLICE OFFICERS ASSOCIATION, AUTHORIZING THE CITY
MANAGER TO EXECUTE THE SETTLEMENT AND CONCESSION
AGREEMENTS; AND FURTHER AUTHORIZING STAFF TO
ADMINISTRATIVELY REVISE THE 2011/12 FINANCIAL PLAN AND
BUDGET ADOPTED JUNE 1, 2011, TO IMPLEMENT THE
CONCESSION AGREEMENT

WHEREAS, the claim filed on May 11, 2011, by the Lodi Police Officers Association (LPOA) has now been resolved; and

WHEREAS, subsequent to the initial Council Communication presented to the Council in its June 15, 2011, agenda packet, staff and the LPOA have reached a Tentative Agreement; and

WHEREAS, the Tentative Agreement includes the following:

- 1) A Settlement Agreement that resolves both parties' (LPOA and City) claims arising out of the Notice of Claim filed on May 11, 2011, by the LPOA, and its potential impact on the validity of the 2007 MOU, the 2010 Addendum, and the Side Letters of February 2009, June 2009, and June 2010 ("Settlement Agreement).
- 2) An Addendum extending the LPOA's Memorandum of Understanding an additional three months to and including December 31, 2011, giving the parties the time necessary to successfully negotiate a new contract; and
- 3) Includes the same concessions outlined in the original Council Communication with two minor modifications (allowing excess savings to be cashed out in the form of CTO in addition to holiday and allowing vacation cash out for members who do not have CTO or holiday time) - see chart below ("Concession Agreement").

| Group | Concession | Comments |
|----------------------|---|---|
| Lodi Police Officers | 3% PERS waive all but \$59,100 of holiday cash out. Allow members to cash out their pro rata portion of the \$59,100 in form of holiday CTO or vacation. waive comp time cash out waive 3% deferred comp match offset above concessions with any savings achieved by "super lowest cost medical." | No furloughs Although not a negotiated concession, includes value of eliminating two funded positions Super lowest cost medical would be achieved by POAL members who are currently on higher cost plans taking the PORAC plan and allowing non-sworn to join PORAC as associate members and securing the cheaper PORAC plan. Savings will only be credited as they are achieved. |

WHEREAS, staff also requests authority to administratively revise the 2011/12 Financial Plan and Budget adopted June 1, 2011, to reflect the concessions as outlined above, and reduce the four position eliminations to two positions.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby approve the Tentative Agreement between the City and LPOA as outlined above; authorizes the City Manager to execute the Settlement Agreement; the Concession Agreement; and make the adjustments to the 2011/12 Financial Plan and Budget necessary to implement the Concession Agreement.

Dated: June 15, 2011

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I hereby certify that Resolution No. 2011-98 was passed and adopted by the Lodi City Council in a regular meeting held June 15, 2011, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Katzakian, Mounce, Nakanishi,
and Mayor Johnson

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None



RANDI JOHL
City Clerk